

REMARKS AND COMMENTS

This response to office action was originally submitted on May 29, 2007. A notice of noncompliance was issued June 21, 2007 due to improperly indexed claims. The improperly indexed claims have been corrected and this office action is being re-submitted.

The Examiner has objected to a minor typographical error on page 7. This is corrected by the amendment above. No new matter was added.

The Examiner has objected to a lack of alignment between the reference numbers in the drawings and in the specification. Replacement drawings are submitted here in response to the objection. Figure 1 now includes the appropriate reference number 10 for the SAN. Figure 3 now has the appropriate reference numbers. In the specification "SAN 32" has amended to "SAN 31" and the appropriate reference numbers have been amended. The specification has been amended to properly reference blocks 66 and 68 in the specification. No new matter has been added.

The Examiner has objected to some typographical errors and opportunities for clarification in the claims. These have been amended in response to the Examiner's suggestions.

The Examiner has rejected claims 1-5, 7-11, and 13 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory matter. Claims 1 and 7 have been amended to include implementation of the zone plan. Support for this claim element is explicit in the third full paragraph on page 13 in the specification. "Implementation includes final execution of the zoning plan. During final execution of the zoning plan, the zoning included within the zoning plan is programmed onto individual switches included within the SAN according the approved autonomically generated zoning plan. This will complete the entire autonomic loop of monitoring, analysis, planning and execution." Applicants believe that independent claims 1 and 7 now properly recite a tangible result and therefore are directed to statutory matter. Claims 3, 4, 5, 9, 10, and 11 are dependent claims on claims 1 and 7 and are properly directed to statutory subject matter. Claims 2, 8, and 13 are cancelled.

The Examiner has rejected claims 1, 2, and 6 under 35 U.S.C. 102(e) are being anticipated by Matsuzaki, et al (US2003/0189929).

Matsuzaki teaches a method of generating a network zone plan that takes into account access path data. The present invention generates a zone plan taking into account a broad range of policies. These policies are described in detail on page 12 of the specification. Claim 1 has been amended to include a number of policies as taught by the present invention. This group of policies is not taught by Matsuzaki. Claims 2 and 6 have been cancelled.

The Examiner has rejected claims 1, 2, 7, 8 and 13 under 35 U.S.C. 102(e) as being anticipated by Hsieh, et al. (US 6,751,702).

At column 19 lines 54-67 Hsieh describes the procedure to maintain a path between hosts and storage devices. Hsieh does not describe using granularity, types of storage devices, and grouping as policies in determining a zone plan. Claims 1 and 7 have been amended to more clearly delineate the present invention from that of Hsieh. Claim 2, 8, and 13 are cancelled.

The Examiner has rejected claims 3-5 under 35 U.S.C. 103(a) as being unpatentable over Matsuzaki as applied to claim 1 above and further in view of Tawil, et al. (US2002/0103913).

Claim 1 has been amended in response to the Examiner's rejection as being anticipated by Matsuzaki. Tawil mentions zoning but does not teach using the policies recited in amended claim 1 to create a zone plan. Claims 3-5 are dependent on claim 1. Accordingly, Applicants believe claims 1, 3-5 as amended are allowable over Matsuzaki or Matsuzaki in view of Tawil.

The Examiner has rejected claims 3-5 and 9-11 under 35 U.S.C. 103(a) as being unpatentable over Hsieh as applied to claim 1 above and further in view of Tawil.

Claims 3-5 are dependent on claim 1 and claims 9-11 are dependent on claim 7. Both claims 1 and 7 have been amended in response to the Examiner's rejection as having been anticipated by Hsieh. Accordingly, Applicants believe claims 3-5 and 9-11 are allowable over Hsieh or Hsieh in view of Tawil.

The Examiner has rejected claim 12 under 35 U.S.C. 103(a) as being unpatentable over Hsieh as applied to claim 1 above and further in view of Matsuzaki.

Claim 12 has been cancelled.

CONCLUSION

For the above reasons, Applicants submit that the pending claims 1, 3-5, 7, and 9-11 are patentable over the prior art. Applicants respectfully request reconsideration.

Applicants also thank the Examiner for a careful examination.

Respectfully submitted,

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